IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2828 OF 2005
IN
APPEAL NO.782 OF 2005
IN
SUMMONS FOR JUDGMENT NO.976 OF 2003
IN
SUMMARY SUIT NO.2571 OF 2003

Deepak R.Shah .. Appellant
V/s
Rohit M.Udani (H.U.F.) .. Respondent

Mr.Birendra Saraf i/by Kiran Jain & Co.for the Appellant.

None for the Respondent.

CORAM: DR.S.RADHAKRISHNAN &
S.C.DHARMADHIKARI, JJ.

DATE : 21.10.2005.

P.C.:

1. Heard the learned Counsel for the Appellant. None appears for the Respondent though served. The learned Counsel for the Appellant undertakes to file affidavit of service within a period of two weeks from today.

2. Appeal has already been admitted and the ad-interim relief has also been granted by this Court by an order dated 20.9.2005. Perused the affidavit in support of the present Notice of Motion. There is no affidavit in reply filed by the Respondents. Hence, Notice of Motion is made absolute in terms of prayer clause (a).

(DR.S.RADHAKRISHNAN, J.)

(S.C.DHARMADHIKARI, J.)